

STATE OF ILLINOIS – DEPARTMENT OF LABOR  
CONCILIATION/MEDIATION DIVISION  
1 W. OLD STATE CAPITOL PLAZA, 3<sup>RD</sup> FLOOR  
SPRINGFIELD, ILLINOIS 62701

IN THE MATTER OF:

TOM RIDGE, as a MEMBER OF THE  
INTERNATIONAL UNION OF OPERATING  
ENGINEERS, LOCAL #841, AFL-CIO and the  
INTERNATIONAL UNION OF OPERATING  
ENGINEERS, LOCAL #841, AFL-CIO

Petitioner(s),

v.

JOSEPH COSTIGAN, DIRECTOR OF  
LABOR and the ILLINOIS DEPARTMENT OF  
LABOR,

Respondent.

STATE FILENO. 15-H-JN07-0807

DATE OF NOTICE: July 24, 2014

CERT. MAIL/RETURN RECEIPT:

7012 1640 0000 4018 6095

**NOTICE OF HEARING**

PLEASE TAKE NOTICE that pursuant to section(s) 4 and 9 and of the Illinois Prevailing Wage Act [hereinafter, "PWA" or "Act"], 820 ILCS 130/0.01-12, Joseph Costigan, Director of Labor and the Illinois Department of Labor [hereinafter, "Respondent"] has received written objections filed by, Tom Ridge as member of the International Union of Operating Engineers, Local #841, AFL-CIO and the International Union of Operating Engineers, Local #841, AF-CIO ["Petitioners"] and will convene a hearing in accordance with Article 10 of the Illinois Administrative Procedure Act, 5 ILCS 100/10-5-10-70 and the procedures stated in Respondent's rules at 56 Illinois Administrative Code 120.100 – 120.670.

DATE: AUGUST 14, 2014  
TIME: 2:00 P.M.  
PLACE: ILLINOIS DEPARTMENT OF LABOR  
160 NORTH LASALLE STREET, SUITE C-1300  
CHICAGO, ILLINOIS 60601

ADMINISTRATIVE LAW JUDGE:

CLAUDIA D. MANLEY  
CHIEF ADMINISTRATIVE LAW JUDGE  
ILLINOIS DEPARTMENT OF LABOR  
160 NORTH LASALLE STREET, SUITE C-1300  
CHICAGO, ILLINOIS 60601

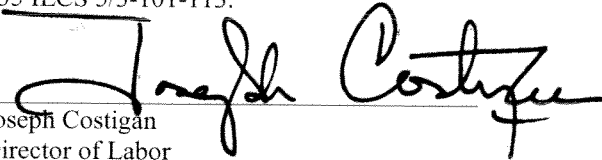
The hearing involves the written objections and hearing request (Exhibits A) filed by Petitioner(s) involving and effecting Respondent's determination of the classification(s) and/or reclassification(s) of craft(s), or type of laborer(s), worker(s) or mechanic(s), engaging in work on public works projects in the in the following counties: Ford, Iroquois, Champaign, Douglas, Edgar, Vermilion, Coles, Clark, Clay, Cumberland, Crawford, Effingham, Edwards, Jasper, Lawrence, Moultrie, Richland, Wabash and Wayne located within the State of Illinois and the prevailing rate of wages for the classification(s). Petitioner

requests establishment of new classifications as a Class 3, Certified Power Crane Operator (truck, crawler, rough terrain, tower and overhead) for these counties, Exhibit A.

The parties and their respective representatives must be prepared to proceed at the hearing. The parties must present all information, documents, records or witnesses necessary to substantiate their position(s) at the hearing.

Pursuant to 56 Illinois Administrative Code 120.640, the Administrative Law Judge shall render a decision and issue an order on the objections pursuant to 820 ILCS 130/4 and 9, 56 Illinois Administrative Code 120.100 – 120.670. The decision will be the decision for and of the Director of Labor. A certified copy of the final administrative decision shall be filed with the Secretary of State, and a copy served personal service or certified/registered mail on all parties to the proceeding.

The proceedings under this hearing are subject to judicial review in accordance with the provisions of the Administrative Review Law, 735 ILCS 5/3-101 - 3-113. The Director of Labor's determination on the objections is final and binding unless a party to this proceeding applies for and obtains judicial review of the final administrative decision in accordance with the provisions of the Administrative Review Law, 735 ILCS 5/3-101-113.

  
\_\_\_\_\_  
Joseph Costigan  
Director of Labor

Marc R. Poulos  
Executive Director

Phone: 815.254.FFCC  
Fax: 815.254.3525



"keeping it fair, for contractors and workers"

RECEIVED

JUL 9 3 2014

Illinois Department of Labor  
CHICAGO OFFICE

July 14, 2014

Mr. Joseph Costigan  
Director of the Department of Labor  
Illinois Department of Labor  
900 S. Spring Street  
Springfield, IL 62704

Re: Request for a hearing to establish a new Prevailing Wage classification for Class 3 Certified Crane Operators in the following Illinois counties: Ford; Iroquois; Champaign; Douglas; Edgar; Vermilion; Coles; Clark; Clay; Cumberland; Crawford; Effingham; Edwards; Jasper; Lawrence; Moultrie; Richland; Wabash; and Wayne

Dear Mr. Costigan:

I represent Tom Ridge, a member and President/Business Manager of the International Union of Operating Engineers, Local 841, AFL-CIO ("Local 841"), and Local 841. The purpose of this correspondence is to submit written objections and a request for a hearing pursuant to Sections 4 and 9 of the Illinois Prevailing Wage Act (820 ILCS 130/4, 9). Local 841 proposes a new classification for Class 3 Operating Engineers covering work performed by certified crane operators in the following Illinois counties: Ford; Iroquois; Champaign; Douglas; Edgar; Vermilion; Coles; Clark; Clay; Cumberland; Crawford; Effingham; Edwards; Jasper; Lawrence; Moultrie; Richland; Wabash; and Wayne Counties. Local 841 members perform the work mentioned herein and are therefore affected by the absence of such classifications.

The work performed by certified crane operators is construction work as defined in sections 2 and 3 of the Illinois Prevailing Wage Act because these workers are directly employed by contractors or subcontractors on a public works job site and/or in anticipation of construction, and engaged in the transportation of materials and equipment to or from the site (820 ILCS 130/2, 3). Further, there is no existing prevailing wage classification for certified crane operators in the counties listed above.

**EXHIBIT A**

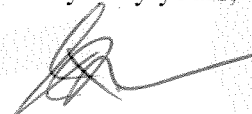
IUOE Local 841 proposes the following classification be added to the above-referenced counties:

Class 3 - ALL	Wage Rate	Fringe Benefits
<b>Certified Power Crane Operator</b> (Truck or Crawler, Rough Terrain, Tower, Overhead)	\$38.75	H&W: \$7.60 Pension: \$9.10 Vacation: \$0.00 Training: \$0.85

On behalf of Mr. Ridge, Local 841 and the Local 841 membership, in accordance with Section 4 and 9 of the IPWA (820 ILCS 130/4, 9), I am requesting an investigatory hearing to establish Prevailing Wage rates for Certified Power Crane Operator.

Thank you for your attention to this matter. Please contact me if there are any further questions.

Very truly yours,



Marc R. Poulos

cc: Tom Ridge, President/Business Manager, IUOE Local 841  
Ronald M. Willis, IDOL General Counsel

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing:

NOTICE OF HEARING

prior to 4:30 p.m. on July 23, 2014, to the following addresses shown below  
via U.S. Certified Mail, return receipt requested:

Mark R. Poulos  
IIIFFC  
6170 Joliet Rd., Ste. 200  
Countryside, IL 60525

Via messenger:

Valerie Puccini  
Assistant General Counsel  
Illinois Department of Labor  
160 N. LaSalle St., Ste. C-1300  
Chicago, IL 60601

  
\_\_\_\_\_